§ 6435. Appointment of private college security officers. 1. Notwithstanding any other provision of law to the contrary, the trustees or other governing board of each independent non-profit college which maintains a campus or other property for educational purposes outside the limits of any city having a population of one million or more and is chartered by the regents or incorporated by special act of the legislature may request that security guards employed by such college be appointed as private college campus security officers by the sheriff of the county in which the college is located pursuant to section six hundred sixty-two of the county law or by the chief law enforcement officer of a city where the college is located, pursuant to section two hundred nine-aa of the general municipal law, as added by chapter six hundred eleven of the laws of nineteen hundred ninety-five. Security guards appointed as such campus security officers may exercise within their geographic area of authority as defined hereinafter any or all of the following powers:

a. to make a warrantless arrest of a person (i) for any offense when he or she has reasonable cause to believe that such person has committed such offense in his or her presence and (ii) for a crime when he or she has reasonable cause to believe that such person has committed such crime, whether in his or her presence or otherwise, and follow such person in continuous close pursuit into public places beyond the geographic area of authority to make such warrantless arrest; provided, however, that such campus security officers shall comply with the post-arrest procedures set forth in section 140.40 of the criminal procedure law and shall not interfere with an ongoing criminal investigation conducted by any police officer;

b. to use physical force, other than deadly physical force, upon another person when and to the extent that he or she reasonably believes such to be necessary to effect an arrest pursuant to paragraph a of this subdivision or to prevent the escape from custody of such person and use deadly physical force for such purpose when he or she reasonably believes such to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of deadly physical force;

c. to carry and utilize a police baton and noxious materials designed and intended for prevention of crime and enforcement of law and order; provided, however, that no such campus security officer shall carry or use such police baton or noxious materials before receiving training in the use thereof. Training in the use of a baton shall include, but not be limited to, the defensive use of the baton and instruction in the legal use of physical force pursuant to article thirty-five of the penal law;

d. to temporarily possess stolen property, weapons, appliances and substances described in article two hundred sixty-five of the penal law and article thirty-three of the public health law whenever appropriate for the prevention of crime, preservation of evidence and enforcement of law and order, and as soon thereafter as practicable deliver such stolen property, weapons, appliances and substances to a police officer;

e. to issue appearance tickets pursuant to subdivision three of section 150.20 of the criminal procedure law;

f. to issue uniform appearance tickets pursuant to article twenty-seven of the parks, recreation and historic preservation law and to issue simplified traffic information pursuant to section 100.25 of the criminal procedure law and section two hundred seven of the vehicle and traffic law;

g. to issue a uniform navigation summons and/or complaint pursuant to section nineteen of the navigation law;

h. to issue uniform appearance tickets pursuant to article seventy-one of the environmental conservation law; and

i. to seize an alcoholic beverage upon observing a person under twenty-one years of age openly in possession of an alcoholic beverage as defined in section three of the alcoholic beverage control law, with intent to consume such beverage in violation of section sixty-five-c of such law.

2. For purposes of this section, "geographical area of authority" means any real property owned by or under the control of the college by which the security guard is employed and located within the geographic boundaries of the county wherein the appointment was made.

3. To become eligible for appointment as a private college campus security officer a security guard must first successfully complete a course of instruction in public and private law enforcement approved by the municipal police training council, the security guard advisory council, or the department of state or other comparable course offered or recognized by a department or agency of the state of New York as providing appropriate training for the exercise of the powers enumerated in this section. Such training shall also comply with all requirements of article seven-A of the general business law and any regulations promulgated thereunder.

4. To be eligible for appointment as a private college campus security officer, an applicant shall be of good character, cooperate in a background check as may be required by the county sheriff or chief law enforcement officer, be at least twenty-one years of age at the time of appointment, be a citizen of the United States, and be in compliance with the requirements of, and duly registered in accordance with, the provisions of article seven-A of the general business law and any regulations promulgated thereunder.

5. The duration of the appointment shall be coexistent with the period of employment except as otherwise provided in this section, section six hundred sixty-two of the county law or section two hundred nine-aa of the general municipal law, as added by chapter six hundred eleven of the laws of nineteen hundred ninety-five.

6. Any independent non-profit college which requests appointment of any of its security guards as a private college campus security officer as provided for in subdivision one of this section shall indemnify and hold harmless, the appointing sheriff, the county in which such sheriff serves, the appointing chief law enforcement officer and the city in

which such chief law enforcement officer serves from liability and damages including cost of defense to the extent proximately caused by the intentional or negligent acts or omissions of the college's security guards while acting pursuant to their scope of employment by the college.

7. A college shall immediately notify the appointing sheriff or chief law enforcement officer whenever a security guard appointed by the college as a private college campus security officer is arrested, suspended from employment, transferred, terminated or disabled so as to be incapable of performing campus security officer duties. Upon receipt of such notice, the sheriff or chief law enforcement officer shall immediately revoke such appointment.

8. Private college campus security officers appointed in accordance with this section shall not be subject to assignment under section two hundred nine-f of the general municipal law or any mutual aid provisions of law.